

HOUSE No. 1181

By Mr. Connolly of Everett, petition of Edward G. Connolly and Kathleen M. Teahan relative to the prevention of bullying in the public schools. Education.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT TO PROVIDE A SAFE ENVIRONMENT FOR CHILDREN FROM SCHOOL BULLIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The General Court finds that bullying disrupts a
2 school's ability to educate students and threatens public safety by
3 creating an atmosphere in which such behavior can escalate into
4 violence. Further, the General Court finds that a safe and civil
5 environment is necessary if students are to learn and achieve the
6 high academic standards and that legislation is necessary to pro-
7 vide protection for students.

1 SECTION 2. Chapter 71 of the General Laws is hereby
2 amended by inserting after section 37N following 2 sections:—

3 Section 37O. For purposes of this section and section 37P, the
4 term "bullying" shall mean repeated harassment or intimidation,
5 including written or verbal expressions, physical acts, gestures, or
6 indirect actions committed against the will of an individual, which
7 causes intentional emotional distress. The harassment or intimi-
8 dation may be based on race, religion, national origin, ethnicity,
9 sexual orientation, disability, physical appearance, gender identity,
10 academic ability, or language proficiency.

11 Section 37P. The department of education shall create man-
12 dates which every public school in the commonwealth shall
13 follow in creating a "safe school plan". The plan shall include the
14 following elements:

15 (1) Procedures for how a student shall be protected from bul-
16 lying that takes place on or immediately adjacent to public school
17 grounds, at any school-sponsored activity, on public school trans-
18 portation or at any official public school bus stop.

19 (2) A statement prohibiting bullying as well as a procedures
20 outlining;

21 (i) the type of appropriate behavior expected from each student
22 and staff member that will be communicated to students, staff and
23 families;

24 (ii) a prompt bullying response, including the consequences and
25 remedial actions for a student who commits an act of bullying;

26 (iii) the reporting of bullying, including consequences if a
27 report of bullying is found to be a false accusation;

28 (iv) a statement protecting from retaliation a student or staff
29 member who reports an act of bullying;

30 (v) an intra-district policy implementation and publication plan;

31 (vi) a plan for communicating incidents of bullying to students'
32 families and;

33 (vii) the identification by job title of school officials respon-
34 sible for implementing and enforcing the safe school plan.

35 (3) Each district superintendent shall submit annually by July 1
36 an updated safe school plan to the commissioner of education
37 accompanied by an itemized report of the number of bullying inci-
38 dents.